

REMARKS / ARGUMENTS

Reconsideration of the application is requested.

Claims 1-20 remain in the application. Claims 3, 6, 11-13, and 16 have been withdrawn. Claims 19-20 have been allowed.

In the second paragraph on page 3 of the above-mentioned Office action, claims 1 and 4 have been rejected as being anticipated by Mandel (US Pat. No. 6,155,561) under 35 U.S.C. § 102(e).

In the fifth paragraph on page 3 of the above-mentioned Office action, claims 1-2, 4, and 15 have been rejected as being anticipated by Charbonnet (US Pat. No. 4,547,115) under 35 U.S.C. § 102(b).

As will be explained below, it is believed that the claims were patentable over the cited art in their original form and the claims have, therefore, not been amended to overcome the references.

Before discussing the prior art in detail, it is believed that a brief review of the invention as claimed, would be helpful.

Claim 1 calls for, inter alia:

at least one sheet-gripping device for displaceably aligning the sheet, said sheet-gripping device having a single tiltable positioning table and an actuating drive displacing said positioning table in at least one of a sheet travel direction, a direction transverse to said sheet travel direction, and a direction pivoting about an axis extending in a direction orthogonal to said sheet travel direction, the sheet to be aligned being fixable on said positioning table. (Emphasis added.)

Mandel shows a positioning table 30 with a transport section for a sheet. The sheet can be brought from a first transportation level to a second transportation level by the positioning table 30. The positioning table 30 has two parallel arranged guide baffles 32, 34 which are swivelable about a swivel point 33 disposed outside of the transportation section. A sheet located on the positioning table 30 can thus be placed at an angle. A side alignment or an alignment in the transport direction can therefore not be accomplished.

In addition, the positioning table 30 of Mandel also does not have a sheet-gripping device.

Charbonnet shows a device for picking up sheet-shaped materials from a stack and then transporting them to a discharging station. The sheets are grabbed by suction pick-up elements 53 and can be placed at an angle in the level on the transport path in order to align the sheets through tilting. A side alignment "transverse to said sheet travel

direction" is, for example, impossible with the device of Charbonnet.

Clearly, neither Mandel nor Charbonnet shows "at least one sheet-gripping device for displaceably aligning the sheet, said sheet-gripping device having a single tiltable positioning table and an actuating drive displacing said positioning table in at least one of a sheet travel direction, a direction transverse to said sheet travel direction, and a direction pivoting about an axis extending in a direction orthogonal to said sheet travel direction, the sheet to be aligned being fixable on said positioning table," as recited in claim 1 of the instant application.

Claim 1 is, therefore, believed to be patentable over the art and since claims 2, 4, and 15 are ultimately dependent on claim 1, they are believed to be patentable as well.

Applicants appreciate the Examiner's statement in the fourth paragraph on page 4 of the above-mentioned Office action that claims 19-20 are allowed.

Applicants acknowledge the Examiner's statement in the fifth paragraph on page 4 of the above-mentioned Office action that claims 5, 7-10, 14, and 17-18 would be allowable if rewritten

in independent form including all of the limitations of the base claim and any intervening claims.

Since claim 1 is believed to be patentable as discussed above and claims 5, 7-10, 14, and 17-18 are ultimately dependent on claim 1, they are believed to be patentable in dependent form. A rewrite is therefore believed to be unnecessary at this time.

In view of the foregoing, reconsideration and allowance of claims 1-2, 4-5, 7-10, 14-15, and 17-18 are solicited. Since claim 1 is generic, reconsideration and allowance of withdrawn claims 3, 6, 11-13, and 16 are requested upon allowance of claim 1.

In the event the Examiner should still find any of the claims to be unpatentable, counsel would appreciate a telephone call so that, if possible, patentable language can be worked out.

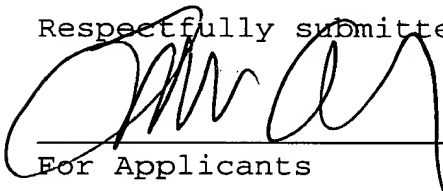
If an extension of time for this paper is required, petition for extension is herewith made. Please charge any fees which might be due with respect to 37 CFR Sections 1.16 and 1.17 to

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the Deposit Account of Lerner and Greenberg, P.A., No. 12-
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Respectfully submitted,

LAURENCE A. GREENBERG
REG. NO. 29,308



For Applicants

YC

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Lerner and Greenberg, P.A.
Post Office Box 2480
Hollywood, FL 33022-2480
Tel: (954) 925-1100
Fax: (954) 925-1101